

REMARKS/ARGUMENTS

Claims 24-44 and 59-73 are pending. By this Amendment, claims 45-58 are cancelled without prejudice or disclaimer. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication in the Office Action that claims 24-44 and 59-72 recite allowable subject matter.

Rejection Under 35 U.S.C. §101

The Office Action rejects claim 73 as reciting unpatentable subject matter under 35 U.S.C. §101 and/or is indefinite under 35 U.S.C. §112, second paragraph. Applicants respectfully traverse the rejection.

The Office Action asserts that claim 73 recites a use without setting forth process steps and, thus, is not directed to patentable subject matter and/or is indefinite. *See* Office Action, page 2. However, Applicants submit that claim 73 is not a "use" claim, but rather a process claims that affirmatively recites the step of "utilizing the fluoride of claim 60." The Board of Patent Appeals and Interferences has held that a claim that clearly recites the step of "utilizing" is not an impermissible "use" claim. *See* MPEP §2173.05(q). Applicants respectfully request that claim 73 be treated in the same manner.

For the foregoing reasons, claim 73 recites patentable subject matter. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §102

The Office Action rejects claims 45-49, 53, 56 and 58 under 35 U.S.C. §102(b) over Lilley et al. ("Precipitation in LiF Crystals Doped with MgF_2 ") ("Lilley"). By this Amendment, claims 45-49, 53, 56 and 58 are cancelled, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §103

A. Lilley and Khulugurov

The Office Action rejects claims 50 and 52 under 35 U.S.C. §103(a) over Lilley in view of Khulugurov et al. ("Laser active F-aggregate colour centres in LiF monocrystals doped by divalent impurity cations") ("Khulugurov"). By this Amendment, claims 50 and 52 are cancelled, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Lilley and Gupta

The Office Action rejects claim 51 under 35 U.S.C. §103(a) over Lilley in view of Gupta et al. ("Electrical conductivity studies of cobalt-precipitation in RbCl crystals") ("Gupta"). By this Amendment, claim 51 is cancelled, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

C. Lilley

The Office Action rejects claims 54 and 55 under 35 U.S.C. §103(a) over Lilley. By this Amendment, claims 54 and 55 are cancelled, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

D. Lilley and Wittry

The Office Action rejects claim 57 under 35 U.S.C. §103(a) over Lilley in view of U.S. Patent No. 4,882,780 to Wittry ("Wittry"). By this Amendment, claim 57 is cancelled, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the foregoing reasons, Applicants submit that claims 24-44 and 59-73 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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